



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

May 27 1977

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Dear Senator Biden:

The purpose of this letter is to clarify EPA's position toward the Army Creek Landfill situation with respect to Section 4 of the Resource Conservation and Recovery Act (RCRA) and to inform you of actions we have taken to date. At the request of the New Castle County Department of Public Works, we will refer to this situation as the Army Creek Landfill, rather than Llangollen. This is at the request of property owners in the Llangollen Estates subdivision who wish to minimize their association with the problem.

I have designated Mr. Sheldon Meyers, Deputy Assistant Administrator for Solid Waste, as the Agency contact, coordinator, and spokesman for Section 4 of RCRA: Army Creek Landfill. Mr. Meyers will coordinate the efforts of our Office of Research and Development and our Region III Office in Philadelphia with those of his staff in the Office of Solid Waste.

It is our intent to work with your office and New Castle County personnel on this issue. We appreciate the sincere interest expressed by Mr. Vince D'Anna in obtaining EPA assistance for New Castle County and will try to keep him informed of our activities. Staff of the Office of Solid Waste have been working directly with Ms. Merna Hurd of the New Castle County Department of Public Works Planning Department (Area-wide Waste Treatment Program) for some time now.

As you are aware, ground water contamination by leachate is common at solid waste disposal sites in this country and is not unique to the Army Creek Landfill. Water supply

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wells have also been contaminated by leachate at numerous disposal sites, not just in Delaware. Hopefully the regulatory, research, technical assistance and other provisions of RCRA will help minimize the chances of such problems occurring in the future.

What makes the Army Creek Landfill situation somewhat different is the significant consideration which the County has given to attempt to correct or rectify the contamination problem. In other supply well contamination cases involving sizeable sites, the contaminated ground water and wells have merely been abandoned (avoided) and clean water piped in from another source. In the case of Army Creek Landfill contamination an alternative water source is not readily or cheaply available.

New Castle County is faced with a very difficult decision. Just as there are uncertainties and high costs in leachate prevention and control technologies, there are even greater uncertainties and costs associated with corrective technologies. Even if the landfill problem were corrected there would be some uncertainties as to how long it would take for the ground water to be usable again without counterpumping. Complicating this in the case of Army Creek are (1) the existence of another nearby (although smaller) disposal site which apparently also has to be corrected to solve the ground water problem, (2) the problems caused by the fact that an artesian aquifer is involved, (3) ground water in direct contact with the wastes, (4) the very heterogeneous nature of the subsurface strata, and (5) the many chemical/industrial wastes as well as municipal wastes disposed of in the site.

We are well aware that this is a pressing problem for New Castle County. Last year we funded the New Castle County Public Works Department's planning agency to explore the water resource options for the county vis-a-vis the landfill contamination problem. Use of a major source of drinking water for the county, the Potomac Aquifer, has been curtailed, and an alternative replacement source is not readily or cheaply available. The costs and problems associated with the counterpumping program are a definite strain on County resources. The characteristics of the leachate are such that the counterpumping program is necessary indefinitely if the current, albeit reduced, level of pumpage from the aquifer is to continue. The long-range

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costs of counterpumping are greater than other alternative and counterpumping renders the aquifer only partially usable which will exacerbate the water supply problem as demand increases.

EPA intends to assist New Castle County in resolving the problem as quickly as possible. However, funds have not been specifically appropriated for the Section 4 provisions of RCRA, and funds obtained through FY 77 reprogramming are insufficient to implement all sections of the Act. Given the other urgent needs in the Act, we are currently unable to fund the counterpumping program which is a subsidy akin to a construction grant, and as such is in contrast to the spirit of most of the rest of the Act, is not national in scope, and would not get at the root of the problem.

The Section 4 research program, however, is more in the national interest and is more likely to result in a solution to the problem. Given limited funds, we favor funding the research program before counterpumping. In fact, we recently initiated a corrective action research project (titled "Neutralization of Inoperative Waste Disposal Sites") under contract to A.W. Martin Associates. We had hoped to utilize this project in conjunction with the Army Creek Landfill, but after several communications with the New Castle County planning department, we mutually agreed that this project better suited for a smaller site where we can more accurately describe and measure the effects of corrective action, and accomplish the research within a reasonable budget. The urgency of the Army Creek situation may also not allow the time needed in this research effort. However, New Castle County may be able to draw upon the interim results of this project. In another current effort, we have committed \$10,000 to analyze a number of contaminated ground water (leachate) samples from the Army Creek area to expand the organic chemicals identification data base. When we get the results of these analyses we will forward them to New Castle County personnel.

It is our present view that what is needed at the Army Creek Landfill is more a feasibility study than a longer term research project. Such a feasibility study would apply existing technological and research data to the Army Creek Landfill problem to further investigate alternative solutions or corrective actions as delineated in Section 4 of the Act. The Agency, in cooperation with the New Castle County Department of Public Works planning division, is in the process of developing the scope of work for such a project.

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However, with the current uncertainties on availability of funds, this effort has been delayed. By recent reprogramming of FY 77 research funds, which are very tight, the most we have been able to set aside is an additional \$50,000 for a feasibility study. However, we have not determined yet what this level of funding will achieve for New Castle County or EPA. At this time it is difficult to say what funds might be available in FY 78, but any appropriations explicitly designated for Section 4 would guarantee EPA's ability to fund this effort.

At any rate, EPA's Office of Solid Waste, Office of Research and Development, and Region III Office will continue to provide technical assistance to New Castle County within the limits of the resources we do have.

I hope this letter has helped clarify the Agency's position and activities regarding the Army Creek situation. If you have any further question please feel free to contact Sheldon Meyers directly at (202) 755-9170.

Sincerely yours,

Barbara Blum
Deputy Administrator

Honorable Joseph R. Biden, Jr.
United States Senate
Washington, D. C. 20510

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